

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN LEE TOWNER,

Defendant.

Case No. 1:23-CR-2050-RLP-1

CRIMINAL MINUTES

DATE: 8/21/2025

LOCATION: Yakima

SENTENCING

JUDGE REBECCA L. PENNELL

Linda Hansen

Courtroom Deputy

Law Clerk

Interpreter

Allison Anderson

Court Reporter

Michael Murphy

Government Counsel

Jennifer Barnes

Defense Counsel

[X] Open Court

[X] Probation: Carrie Valencia

Defendant is not in custody and present in the courtroom with counsel.

The Court advised the parties of the documents reviewed in preparation for sentencing.

The Court addressed the Defendant's objections to the Presentence Report. The information objected to does not affect the Guideline calculations. Ms. Barnes presented argument. Mr. Murphy presented argument. The Court and counsel discussed attaching the Defendant's psychological evaluation to the Presentence Report. The Court overruled the objections. The Court made a finding that there is insufficient evidence to show that the uncharged conduct in question actually occurred.

The Court addressed Defendant's Motion to Seal, ECF No. 73. Ms. Barnes argued in support of the motion. Mr. Murphy presented argument on behalf of the Government. Ms. Barnes requested the report be attached to the Presentence Investigation Report and moved to withdraw the motion and document. The Court GRANTED the motion to seal and directed the report be appended to the Presentence Investigation Report.

Ms. Barnes requested that a medical record filed at ECF No. 63 be attached to the Presentence Report. GRANTED.

The Court provided calculations of the Sentencing Guidelines. There were no objections by the parties.

The Court and Mr. Murphy discussed the JVTA and AVAA assessments. Mr. Murphy presented sentencing recommendations on behalf of the Government.

Jennifer Barnes provided sentencing recommendations on behalf of the Defendant and requested a restitution hearing. After conferring with her client, Ms. Barnes relayed that the Defendant does not wish to have a restitution hearing.

Additional comments made by Mr. Murphy.

The Defendant addressed the Court on his own behalf.

The Court accepted the parties' 11(c)1(C) Plea Agreement.

The Court addressed the Defendant and pronounced sentence.

Imprisonment: 60 months

Supervised Release: 10 years with mandatory, standard and special conditions of release as set forth in the Presentence Report.

Fine: Waived

Special Penalty Assessment: \$100.00

Restitution: \$45,000.00 (\$3,000.00 per victim)

JVTA: \$5,000.00

AVAA: \$17,000.00

There is no objection to the Court entering the proposed Final Order of Forfeiture.

The Defendant was ordered to self-report for service of his sentence. Financial assessments will be due immediately and no later than 30 days.

Appeal rights given to the extent any remain.

CONVENED: 9:01 AM	ADJOURNED: 10:25 AM	TIME: 1 HR/ 24 MINS	[X] JUDGMENT FORTHCOMING
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*Following the conclusion of the hearing counsel requested the Court make a recommendation that the Defendant be housed at the BOP facility Englewood, CO for purposes of treatment and family visitation.